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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) CASE NO. 19-CR-0636-EMC
17 Plaintiff,)
18 v.) **[PROPOSED] ORDER TO EXCLUDE TIME
19 JUAN VALDOVINOS MENDOZA,) UNDER THE SPEEDY TRIAL ACT FROM
20 Defendant.) SEPTEMBER 2, 2020 THROUGH DECEMBER
21) 16, 2020**
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28 Change of plea and sentencing in this case was scheduled for September 2, 2020. Defense counsel filed a Second Motion to Continue Sentencing on August 28, 2020, citing the COVID-19 pandemic, his own health conditions, and the wildfires then burning in Northern California. The Court granted the motion and continued sentencing to November 4, 2020.

29 On November 4, 2020, the parties appeared before the Court for the change of plea and sentencing. Defense counsel Arturo Hernandez requested leave to withdraw as defense counsel. Curtis Rodriguez appeared on behalf of the Defendant as retained counsel. Mr. Rodriguez requested time to review discovery.

30 The Court set the matter for change of plea and sentencing on December 16, 2020. For the reasons stated by defense counsel, the exclusion of time under the Speedy Trial Act from September 2,

1 2020 through December 16, 2020 is appropriate to allow for effective preparation of defense counsel and
2 continuity of counsel. 18 U.S.C. § 3161(h)(7)(A), (B)(iv). The ends of justice are served by excluding
3 time and outweigh the interests of the public and the defendant in a speedy trial.

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1 ~~[PROPOSED] ORDER~~

2 For the reasons stated above, and those stated on the record on November 4, 2020, the Court
3 FINDS that the exclusion of time from September 2, 2020 through December 16, 2020 is warranted and
4 that the ends of justice served by the continuance outweigh the best interests of the public and the
5 defendant in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A). The failure to grant the requested continuance
6 would deny defendant effective preparation of counsel and continuity of counsel. 18 U.S.C.
7 §§ 3161(h)(7)(B)(iv).

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9 DATED: November 9, 2020



HON. EDWARD M. CHEN
United States District Judge

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